

REMARKS / ARGUMENTS

Claims 1-21 remain in the application.

The Applicant has voluntarily amended Claims 2, 8, 11, and 16.

Particularly, in Claims 2 and 8 the term "second protrusion" has been replaced by "pimple". In Claim 11 the term "third protrusion" has been replaced with "second protrusion" to be consistent with new Claim 8.

In Claim 16, the term "third protrusion" has been replaced with "pimple". The amendments have been made so as to clarify the subject matter claimed. No new subject matter has been added. The amendments are fully supported by the description.

The Examiner has rejected Claims 1-4, 8-11 and 15-18 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,735,325 to Remmers.

The Applicant respectfully disagrees with the Examiner. The Applicant argues that Remmers discloses a support clip (40) having a rear portion (42) formed with a rearwardly facing open channel (48) defined between rearwardly extending projections (50) and (52). It can clearly be seen that only the outer surface of the rear portion (42) and the rearwardly extending projections (50) and (52) come into contact with the post (14). However, the projections (50) and (52) do not engage with the post (14) to maintain the support clip (40) thereon, as clearly visible in Fig. 3 of Remmers. Rather, the Applicant points out that the support clip (40) is fastened to the post by a screw (64) that fits through an opening (60) defined through the rear portion (42).

Furthermore, the front surface or inner surface of the rear portion (42) has two forwardly extending projections (54) and (56) which also define inner surfaces. Clearly, none of the inner surfaces of the support clip (40) come into contact or engage the post (14) in any way.

Moreover, the inner surfaces of the side arms include the inner surfaces of the forwardly extending projections (54) and (56) and the inner surfaces of the fingers (82) and (84), as illustrated in Figs. 1, 3 and 4. It can be seen from the figures that the inner surfaces do not have a protrusion of any kind, and even further a protrusion for mating engagement with a corresponding indentation in the post.

Therefore, the Applicant argues that Remmers fails to describe "a first protrusion, located on said inner surfaces of said bracket, adapted for mating engagement with a corresponding indentation in the post as claimed in Claims 1, 8 and 15 of the present application", whereby no prima facie case of anticipation has been established for failure to teach every claimed element of Claim 1. Accordingly, the rejections of Claim 1, 8 and 15 under 35 U.S.C. 102(b) is herein traversed.

Still in view of the rejection under 35 U.S.C. 102(b), the Applicant argues that Remmers fails to teach "a pimple at a predetermined distance from said back wall" as claimed in Claim 8, for the snap-fit engagement of the bracket to the vertical post. This claimed element is absent from Claim 8, further adding to the traverse of Claim 8 under 35 U.S.C. 102(b).

Still in view of the rejection under 35 U.S.C. 102(b), the Applicant argues that Remmers fails to teach "a second protrusion" in "said inner surface of said back wall", "for biasing said bracket outwardly from the corner post", as claimed in Claim 15. This claimed element is absent from Claim 15, further adding to the traverse of Claim 15 under 35 U.S.C. 102(b).

The Examiner has rejected Claims 1, 5-8, 12-15 and 19-21 under 35 U.S.C. 103(a) as being obvious having regard to U.S. Patent No. 4,592,286 to Trubiano in view of U.S. Patent No. 4,735,325 to Remmers.

The Applicant points out that, although U.S. Patent No. 4,592,286, issued to the current assignee, discloses the Applicant's basic concept, it does not demonstrate or describe all the

inventive features that characterize the present invention. The Applicant states that the present invention represents in fact considerable improvements over the bracket disclosed by the prior art.

With respect to independent Claim 1, the Examiner alleges that Remmers teaches the slots (70) having a friction edge portion which Trubiano does not. The Applicant argues that, although the elements of Claim 1 are found in a combination of the above two references, an ordinary person skilled in the art would not have been led to combine these two references. One of the reasons that has prompted the Applicant to produce "friction edge portions" is that an accidental disconnection of the wire shelf from the slots as a result of an upward force would lead the attachment bracket to become disconnected from the vertical post, and fall to the ground. In such a case, the wire shelf and the items it supports could also become disconnected.

In view of solutioning this problem, it is argued that the person skilled would look at other indentation-supported attachment brackets, as the problem of attachment brackets falling to the ground is solely associated with indentation-supported attachment brackets. As the bracket described by Remmers is self-supported to the vertical post by screws (64), it is argued that the person skilled in the art would not have considered Remmers to come to the inventive solution claimed in Claim 1 of the present application.

In view of the foregoing, the Applicant believes that independent Claim 1 clearly defines an invention which is not rendered obvious by Trubiano in view of Remmers. Accordingly withdrawal of the rejection of Claim 1 under 35 U.S.C. 103(a) is anticipated. Further, at least in view of their dependence on Claim 1, Claims 5-7 are not believed to be made obvious for the reasons set forth above, and the withdrawal of their rejection is similarly anticipated.

With respect to independent Claims 8 and 15, the Examiner fails to provide references that teach the all the inventive features defined in the claims. The Applicant argues that the same arguments brought forth for overcoming the anticipation rejection apply here. Both Trubiano and Remmers fail to teach a "pimple", as defined in new Claim 8, provided on the "inner surface of one of said side arms", "at a predetermined distance from said back wall". This pimple, best illustrated at 40 in Fig. 4 of the present application, enables the bracket of Claim 8 to be in "snap-fitting engagement with the corner post", which is a feature clearly absent from both Trubiano and Remmers. Accordingly, the rejection of Claim 8 under 35 U.S.C. 103(a) is herein traversed.


Also, Trubiano and Remmers fail to teach "a second protrusion" provided on the "inner surface of said back wall", "for biasing said bracket outwardly from the corner post", when the bracket is mated therewith. This second protrusion is clearly shown at 45 in Fig. 4 of the present application. Therefore, none of Remmers and Trubiano describe a bracket that has such a protrusion, such that the biasing feature of the bracket away from the corner post is clearly absent of the brackets of Remmers and Trubiano. Accordingly, the rejection of Claim 15 under 35 U.S.C. 103(a) is herein traversed.

Accordingly withdrawal of the rejection of new Claim 8 and 15 is anticipated. Further, at least in view of their respective dependencies on Claims 8 and 15, Claims 12-14 and 19-21 are not believed to be made obvious for the reasons set forth above, and the withdrawal of their rejection is similarly anticipated.

In view of the above amendments and remarks, this application is now believed to be in condition for allowance, and, accordingly, notice to that effect is earnestly solicited.

Application Serial No.: 10/813,701
Examiner: Amy Jo Sterling
Art Unit: 3632
Attorney Docket No: 5489-98"US"

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David M. Carter', is written over a horizontal line.

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